

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

F'REAL FOODS, LLC and
RICH PRODUCTS CORPORATION,

Plaintiffs,

v.

HAMILTON BEACH BRANDS, INC.,
HERSHEY CREAMERY COMPANY and
PAUL MILLS d/b/a MILLS BROTHERS
MARKETS,

Defendants.

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) C.A. No. 16-41 (CFC)
) CONSOLIDATED
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DEFENDANTS' PROPOSED ORDER ON POST-TRIAL BRIEFING

Post-trial motions and briefing will proceed as follows:

- 1) By **May 22, 2019**, Defendants shall file an up to ^{a 2,000 word} ~~10 page~~ opening brief on indefiniteness under 35 U.S.C. § 112 of Claim 22 of U.S. Patent No. 7,144,150 and Claims 1, 5, 6, 10, and 11 of U.S. Patent No. 7,520,658;
- 2) By **May 30, 2019**, Plaintiffs shall file an up to ^{a 2,000 word} ~~10 page~~ opposition brief on indefiniteness;
- 3) By **June 5, 2019**, Defendants shall file an up to ^{a 1,000 word} ~~5 page~~ reply brief on indefiniteness;
- 4) **Within 28 days** of the Court's entry of judgment following the indefiniteness briefing, the parties shall file any post-trial motions pursuant to Fed. R. Civ. P. 50(b) or 59; and Plaintiffs shall file any briefs on motions to declare the case exceptional under 35 U.S.C. § 285, attorneys' fees, pre- and post-judgment interest, supplemental damages or accounting, injunction, and ongoing royalties. For all opening briefs, the

* All briefs shall use 14-point font.

parties shall be limited to a total of ^{8,500}~~12,500~~ words per side;

5) **Within 28 days** of the parties' opening briefs, the parties shall file

opposition briefs, limited to a total of ^{8,500}~~12,500~~ words per side;

6) **Within 14 days** of the parties' opposition briefs, the parties shall file reply

briefs, limited to a total of ^{4,000}~~6,250~~ words per side;

7) **Within 28 days** of the Plaintiffs filing a motion for an injunction,

Defendants shall file any motion and brief to stay an injunction, limited to 2,500 words;

8) **Within 14 days** of the Defendants' filing a stay motion, Plaintiffs shall

file any opposition to Defendants' motion to stay an injunction, limited to 2,500 words; and

9) **Within 14 days** of the Plaintiffs filing an opposition to the Defendants'

stay motion, Defendants shall file any reply brief in support of their motion to stay an injunction, limited to 1,250 words.

Dated May 15, 2019


United States District Judge

*The parties shall not evade word limitation requirements by citing to affidavits or other documents that set forth legal arguments. Such affidavits and documents shall be struck. Pin-point citation is required for all briefs.